



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

the application of

: PATENT APPLICATION

CHARLES W. GARDNER, JR. ET AL.

: WIDE FIELD METHOD FOR
DETECTING PATHOGENIC

Serial No. 10/608,470

: MICROORGANISMS

Filed June 27, 2003

:

LETTER

Pittsburgh, Pennsylvania 15219
January 16, 2004

Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

Application Processing Division Customer Correction Branch

Sir:

We are in receipt of the official filing receipt for the above-identified patent application.

In reviewing the official filing receipt we note that the domestic priority data information was omitted. Please insert the following:

--Domestic Priority Data As Claimed by Applicant--

THIS APPLN CLAIMS BENEFIT OF 60/347,806 01/10/2002 and 10/339,807 01/10/03--

It is respectfully requested that a corrected official filing receipt be issued and forwarded to us as soon as possible to the address listed below. If you have any questions regarding this request, please direct your call to our Legal Assistant, Angie Beyerl, at 412-562-1035.

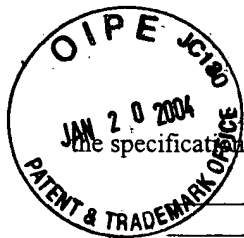
Respectfully submitted,

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As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled



METHOD FOR DETECTION OF PATHOGENIC MICROORGANISMS

The specification of which (check one):

_____ is attached hereto
☒ was filed on June 27, 2003 as Application Serial No. 10/608,470
 _____ and was amended on _____, if applicable

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
			Yes	No
(Number)	(Country)	(Date/Month/Year Filed)		

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States applications listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>10/339,807</u> (Application Serial No.)	<u>1/10/03</u> (Filing Date)	<u>Pending</u> (Status: patented, pending, abandoned)
<u>60/347,806</u> (Application Serial No.)	<u>1/10/02</u> (Filing Date)	<u>Abandoned</u> (Status: patented, pending, abandoned)

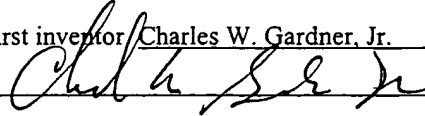
I hereby appoint the following attorney(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith: Lynn J. Alstadt, Reg. No. 29,362; George P. Baier, Reg. No. 26,717; Dennis M. Carleton, Reg. No. 40,938; Craig G. Cochenour, Reg. No. 33,666; Michael L. Dever, Reg. No. 32,216; John E. Grosselin, III, Reg. No. 38,478; Bryan H. Opalko, Reg. No. 40,751; Michael G. Panian, Reg. No. 32,623; Duane A. Stewart III, Reg. No. 54,468; and Carla J. Vrsansky, Reg. No. 36,958.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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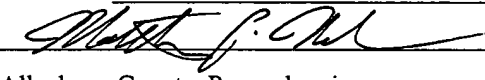
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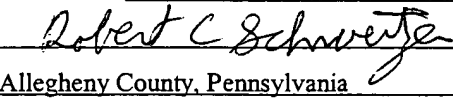
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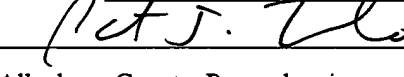
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WIDE FIELD METHOD FOR DETECTING PATHOGENIC MICROORGANISMS.

CROSS REFERENCE TO RELATED APPLICATIONS

This application claims priority pursuant to 35 U.S.C. § 119(e) to United States Provisional Application Serial No. 60/347,806, filed January 10, 2002 as well as United States Patent Application Serial No. 10/339,807, filed January 10, 2003 which are incorporated herein by reference in its entirety including incorporated material.

Field of the Invention

The present invention relates to the field of chemical and biological analysis and more specifically to the use of wide field Raman and fluorescence spectroscopy to quickly identify biological agents and pathogens.

Background of the Invention

Terrorist deployment of chemical and/or infectious biological agents as weapons of mass destruction threatens the welfare of the human populace. Public concern has grown, especially in our nation, as terrorist uses of biothreat agents, such as Anthrax, become reality. Nightmare images of tens of thousands of infected and dying innocent victims strike fear in the hearts of nearly everyone. Biological and chemical warfare is significant, not only in lives lost, but also in the cost to the US economy. The Centers for Disease Control estimates that the loss of 100,000 lives will have a \$29 B economic impact. The mass destruction potential of Biological Warfare Agents ("BWAs") and Chemical Warfare Agents (CWAs) is thought by many to be comparable to or even greater than that of nuclear weapons. Nuclear weapons have the potential to affect a finite area, albeit very large, and the use of such weapons is immediately obvious after the fact. BWAs and CWAs, on the other hand, have virtually no boundaries and have the potential to spread silently and unchecked through populations far from ground zero. Likewise, technology to rapidly detect and quantify very low levels of radioactive contamination is widely available. Unfortunately, such technology for BWAs and CWAs at similar levels is not definitive, not widely available and in many cases, is not very rapid.

The psychological impact of this type of threat is also very significant. The public is becoming increasingly aware of new, emerging pathogens. Fears over the unseen